

Appl. No.: 10/087,622  
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Amendments to the Claims:

Please cancel claims 1, 2 and 12-16 without prejudice.

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Cancelled)
2. (Cancelled)
3. (Previously presented) In a flexible ureteropyeloscope having a control section and a shaft extending from the control section, the improvement comprising:

the shaft comprising a front end with a first active deflection section connected in series with a second active deflection section, the control section being adapted to independently deflect the first and second deflection sections, wherein the first and second active deflection sections are adapted to deflect such that a distal end of the ureteropyeloscope can be placed in a calyx of a lower pole of a kidney without the need to passively deflecting the front end of the shaft against tissue of the kidney of a patient to reach the calyx of the lower pole, wherein the first frame member has a first array of slots therein and the second frame member has a second different array of slots therein.

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4. (Original) A flexible ureteropyeloscope as in claim 3 wherein the slots of the first array extend into the first frame member in two opposite directions.

5. (Previously presented) In a flexible ureteropyeloscope having a control section and a shaft extending from the control section, the improvement comprising:

the shaft comprising a front end with a first active deflection section connected in series with a second active deflection section, the control section being adapted to independently deflect the first and second deflection sections, wherein the first and second active deflection sections are adapted to deflect such that a distal end of the ureteropyeloscope can be placed in a calyx of a lower pole of a kidney without the need to passively deflecting the front end of the shaft against tissue of the kidney of a patient to reach the calyx of the lower pole, wherein the first active deflection section comprises a first shape-memory frame member having a general tubular shape comprised of superelastic material, and wherein the second active deflection section comprises a second shape-memory frame member having a general tubular shape comprised of superelastic material, and wherein the first and second frame members are connected to each other by a fitting, and an end of a control wire from the control section is fixedly connected to the fitting.

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6. (Previously presented) In a flexible ureteropyeloscope having a control section and a shaft extending from the control section, the improvement comprising:

the shaft comprising a front end with a first active deflection section connected in series with a second active deflection section, the control section being adapted to independently deflect the first and second deflection sections, wherein the first and second active deflection sections are adapted to deflect such that a distal end of the ureteropyeloscope can be placed in a calyx of a lower pole of a kidney without the need to passively deflecting the front end of the shaft against tissue of the kidney of a patient to reach the calyx of the lower pole, wherein the first active deflection section comprises a first shape-memory frame member having a general tubular shape comprised of superelastic material, and wherein the second active deflection section comprises a second shape-memory frame member having a general tubular shape comprised of superelastic material, and wherein the second frame member has a curved preshaped home position.

7. (Original) A flexible ureteropyeloscope as in claim 6 wherein the second frame member is maintained in a straight position by tension from a control wire from the control section.

8. (Currently amended) A flexible ureteropyeloscope ~~as in claim 1~~ having a control section and a shaft extending from the control section, comprising:

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the shaft comprising a front end with a first active deflection section connected in series with a second active deflection section, the control section being adapted to independently deflect the first and second deflection sections, wherein the first and second active deflection sections are adapted to deflect such that a distal end of the ureteropyeloscope is sized and shaped to be placed in a calyx of a lower pole of a kidney without passively deflecting the front end of the shaft against tissue of the kidney of a patient to reach the calyx of the lower pole,

wherein the first active deflection section is adapted to deflect in at least two opposite directions about  $155^{\circ}$ - $190^{\circ}$  with a radius of curvature of about 9-12 mm, and wherein a frame piece of the shaft which forms a the second active deflection section is adapted to deflect in at least one direction about  $125^{\circ}$ - $165^{\circ}$  with a radius of curvature of about 9.5-13 mm.

9. (Original) A flexible ureteropyeloscope as in claim 8 wherein the first active deflection section is adapted to deflect in a first one of the at least two opposite directions a maximum of about  $185^{\circ}$  with a radius of curvature of about 10.6 mm, and is adapted to deflect in a second one of the at least two opposite directions a maximum of about  $175^{\circ}$  with a radius of curvature of about 11.3 mm.

10. (Original) A flexible ureteropyeloscope as in claim 9 wherein the second active deflection section is adapted to

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deflect a maximum of about  $135^{\circ}$  with a radius of curvature of about 10.6 mm.

11. (Original) A flexible ureteropyeloscope as in claim 10 wherein the first active deflection section has a length of about 3.6 cm and the second active deflection section has a length of about 2.8 cm.

12. (Cancelled)

13. (Cancelled)

14. (Cancelled)

15. (Cancelled)

16. (Cancelled)

17. (Original) A flexible ureteropyeloscope comprising:

a control section; and

a shaft extending from the control section, the shaft comprising a front end with two superelastic tube frame pieces connected in series, wherein a first one of the frame pieces forms a first active deflection section adapted to deflect in a first direction about  $155^{\circ}$ - $190^{\circ}$  with a radius of curvature of about 9-12 mm, and wherein a second one of the frame pieces forms a second active deflection section adapted to deflect in a direction substantially the same as the first direction about  $125^{\circ}$ - $165^{\circ}$  with a radius of curvature of about 9.5-13 mm.

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18. (Original) A flexible ureteropyeloscope as in claim 17 wherein the first active deflection section is adapted to deflect in an opposite second direction about  $90^{\circ}$ - $190^{\circ}$ .

19. (Original) A flexible ureteropyeloscope as in claim 17 wherein the first active deflection section is adapted to deflect in a first one of the at least two opposite directions about  $185^{\circ}$  with a radius of curvature of about 10.6 mm, and is adapted to deflect in a second one of the at least two opposite directions about  $175^{\circ}$  with a radius of curvature of about 11.3 mm.

20. (Original) A flexible ureteropyeloscope as in claim 19 wherein the second active deflection section is adapted to deflect about  $135^{\circ}$  with a radius of curvature of about 10.6 mm.

21. (Original) A flexible ureteropyeloscope as in claim 20 wherein the first active deflection section has a length of about 3.6 cm and the second active deflection section has a length of about 2.8 cm.

22. (Original) A flexible ureteropyeloscope as in claim 17 wherein the first frame member has a first array of slots therein and the second frame member has a second different array of slots therein.

23. (Original) A flexible ureteropyeloscope as in claim 22 wherein the slots of the first array of slots extend into the first frame member in two opposite directions.

24. (Previously presented) A flexible ureteropyeloscope comprising:

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a control section; and

a shaft extending from the control section, the shaft comprising a front end with two superelastic tube frame pieces connected in series, wherein a first one of the frame pieces forms a first active deflection section adapted to deflect in a first direction about  $155^{\circ}$ - $190^{\circ}$  with a radius of curvature of about 9-12 mm, and wherein a second one of the frame pieces forms a second active deflection section adapted to deflect in a direction substantially the same as the first direction about  $125^{\circ}$ - $165^{\circ}$  with a radius of curvature of about 9.5-13 mm, wherein the first and second frame members are connected to each other by a fitting, an end of a control wire from the control section being fixedly connected to the fitting.

25. (Previously presented) A flexible ureteropyeloscope comprising:

a control section; and

a shaft extending from the control section, the shaft comprising a front end with two superelastic tube frame pieces connected in series, wherein a first one of the frame pieces forms a first active deflection section adapted to deflect in a first direction about  $155^{\circ}$ - $190^{\circ}$  with a radius of curvature of about 9-12 mm, and wherein a second one of the frame pieces forms a second active deflection section adapted to deflect in a direction substantially the same as the first direction about  $125^{\circ}$ - $165^{\circ}$  with a radius of curvature of about 9.5-13 mm,

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wherein the second frame member has a curved pre-shaped home position.

26. (Original) A flexible ureteropyeloscope as in claim 25 wherein the second frame member is maintained in a straight position by tension from a control wire from the control section.

27. (Original) A method of positioning a distal tip of a flexible ureteropyeloscope in a calyx of a lower pole of a kidney comprising steps of:

bending a first active deflection section of a front end of a shaft of the flexible ureteropyeloscope; and

bending a second active deflection section of the front end of the shaft, the second active deflection section being located behind the first active deflection section,

wherein the first and second active deflection sections are independently, controllably deflectable to locate the distal tip in the calyx of the lower pole without the need to passively deflect the front end against kidney tissue of the patient.

28. (Original) A method as in claim 27 wherein the first active deflection section comprises a first frame member having a general tube shape comprised of superelastic material, the second active deflection section comprises a second frame member having a general tube shape comprised of superelastic material, wherein the steps of bending the first and second active deflection sections comprise moving



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different control wires of a control section of the flexible ureteropyeloscope.

29. (Original) A method as in claim 27 wherein the step of bending the first active deflection section comprises bending the first active deflection section about  $155^{\circ}$ - $190^{\circ}$  with a radius of curvature of about 9-12 mm, and wherein the step of bending the second active deflection section comprises bending the second active deflection section about  $125^{\circ}$ - $155^{\circ}$  with a radius of curvature of about 9.5-13 mm.

30. (Previously presented) In a flexible ureteropyeloscope having a control section and a shaft extending from the control section, the improvement comprising:

the shaft comprising a front end with a first active deflection section connected in series with a second active deflection section, the control section being adapted to independently deflect the first and second deflection sections, wherein the first and second active deflection sections are adapted to deflect such that a distal end of the ureteropyeloscope is adapted to be placed in a calyx of a lower pole of a kidney without passively deflecting the front end of the shaft against tissue of the kidney of a patient to reach the calyx of the lower pole, wherein the first active deflection section comprises a shape-memory frame member having a general tubular shape comprised of superelastic material, and wherein the shape-memory frame member is connected to another frame member in the second active deflection

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section by a fitting, and an end of a control wire from the control section is fixedly connected to the fitting.

31. (Previously presented) A flexible ureteropyeloscope comprising:

a control section; and

a shaft extending from the control section, the shaft comprising a front end with at least one deflectable superelastic tube frame piece forming a first active deflection section connected in series to a second active deflectable section, wherein the frame piece forms the first active deflection section adapted to deflect in a first direction about  $155^{\circ}$ - $190^{\circ}$  with a radius of curvature of about 9-12 mm, and wherein the second active deflection section is adapted to deflect in a direction substantially the same as the first direction about  $125^{\circ}$ - $165^{\circ}$  with a radius of curvature of about 13 mm or less, wherein the first and second active deflection sections are connected to each other by a fitting, an end of a control wire from the control section being fixedly connected to the fitting for controlling deflection of the second active deflection section.